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(1)

- 1859 -

Miners Laws of Nevada District

Art- 1st-

Resolved that the boundaries of Nevada District be as follows. commencing at the Junction of Nevada & Eureka Gulch, running thence up Eureka Gulch to Spring Gulch, thence up Spring Gulch to line of Central District thence South Westerly course along the Summit of County or Nevada Hill and in a line West to Fall River; thence North to North Star Creek; thence due East three miles; thence due south to the Summitt of North Nevada Mountain; thence an Easterly course along the Summitt of said Mountain to Bay or Dry Gulch. thence down said Dry Gulch to Eureka Creek. thence South East to the place of beginning

Art 2st

Every Miner shall be entitled to hold one Re Emption Gulch claim 100 feet Square and one quartz claim 100 feet Square, one Lode claim 100 feet long by 50 feet wide — one Water claim 50 feet front by 100 feet back — one Discovery claim claim or all discoverys made by himself

Art-3d A miner may take a claim for a company or a friend present or absent. every 100 feet to be Staked with the owners name giving the dimentions. length & breath also the date when Said claim was made & So of all claims whether individual or company claims

4th Persons So claiming for a friend may hold Said claims for him until the 15th day of June next by complying with the laws for him as agent — Should Such friend fail to attend in person to attend to their own interest in Said claim by the Said 15th of June 1860 it Shall be void & liable to preEmption — So amended January 21st as to exclude only persons in the mines

5th Resolved that when all claims Shall be worked within ten days from the time they are Staked otherwise forfeited

6 Resolved that when members of a company constituted of 2 or more Shall be at work on one claim of the company, the rest Shall be considered as worked, by puting a stone

Art of the same on the claim.

6 Resolved that each discovery claim shall be marked as such & shall be legally held: whether worked or not

" 7 Resolved that in all cases priority of claims when honestly carried out shall be respected

" 8 Resolved that miners working Lode claims shall be entitled to one half of the water from the Cullen provided however said water so used shall not be conveyed to a greater distance than 100 feet from said Cullen

" 9 Resolved that any person that is prevented from working any claim or claims by Lectures or from want of water, or want of Machinery, or who wishes to visit his friends in the States, shall be Exempt from working said Claim or claims until the 15 of June next by having the same Recorded and posting up a Notice stating the reasons why he is not working said claim or claims

Art. 10 Resolved that should a person be prevented from reaching here at the time Specified by Law. on account of Sickness, or other unavoidable accident they shall be entitled to hold their claims, as if they had complied with said Laws, & in case of their death their claims or other property belonging to them here, or that would have been forfeited by their failing to return by said 15th of June next, shall revert to his heirs or assigns, and not be forfeited for non compliance

" 11 Resolved that no miner shall be compelled to work his claim or claims during the winter season.

" 12 Resolved that a Miner holding more than one claim under the laws of this District shall be entitled to hold all of said claims by working one of them, and posting a Notice accordingly on each claim not being worked and all claims not worked as shall be recorded by the Recorder of this District

Art 13 Resolved that any house or garden claims shall be liable to be worked for mining purposes if found to be valuable. but any person so working on a house claim shall secure the same from injury

" 14 Resolved that any citizen of any other district shall be allowed to come into this district & fell or haul away any timber from within the boundaries of this District

" 15 Resolved that any miner shall be allowed to examine the Books of the Recorder at any proper time, and to make any copy therefrom

" 16 Resolved that no Miner shall be compelled to record a claim while actually working it

" 17 Resolved that if any miner sell any Exempted claim he shall be allowed at any time to make another claim but all sales shall be made in good faith

art 18 Resolved that any person or company intending to erect a Quartz Mill may select a location 200 feet square which shall be recorded but such situation or claim shall be forfeited, provided the parties or parties recording the same fail to build on said claim within 2 months shall have this Mill or the same by 3 months from the time of pre emption otherwise it shall be forfeited

" 19 Resolved that any company desirous of running a Tunnel into any Mountain in this District may claim as far in as to the summit of any such Mountain, as to the time of the District and shall be entitled to 200 feet on all Lodes discovered, after commencing running said Tunnel, with the exception of 50 feet perpendicular from the surface, any company making such claim shall set up Stakes showing the direction of the center of said Tunnel, said lines to run due north & south, and by staking said claim, the company shall hold the same until the first day of June 1864 & all Tunnel claims that are not commenced

by that date shall be forfeited

20 Resolved that all Found claims Staked after the passage of this Law shall only be allowed claims on Lodes actually discovered by them

21 Resolved that any Found Co that have run their Found a distance of 100 feet from the place of beginning Claim not forfeited their title to the same by not working it

22 Resolved that all Bills and conveyances of Claims shall be witnessed by at least 2 disinterested persons and Recorded

23 Resolved that the officers of the District shall be one Justice of the Peace, one Recorder, one President one Sheriff; who shall be Elected by the people & shall hold their offices for one year from the time of Election; & untill other officers are Elected, all officers to be Elected by balloting and names of voters Recorded

art 24 Resolved that the President shall have a general
V. Supervision of property belonging to this District
in case of the absence of the Justice of the
Peace & in case where he is an interested party
the President shall act in his Stead, and
be entitled to the same fees as the said Justice
in such cases. It shall be his duty to act as
administrator on the property of deceased per-
sons, and to see that their property is paid
over to their proper heirs, and in case any
office be vacant to call a Meeting to Elect
some one to fill said vacancy, and also to post
all notices for Meetings.

" 25 Resolved that the Justice Shall Jurisdiction
V over all amounts, and his duties Shall be the
same as an ordinary Justice in the States.

" 26 Resolved that the Recorder Shall Keep a Book for
V the purpose and to Record all Deeds conveyances
& claims given him to Record

27 Resolved that the duties of the Sheriff Shall be the
same as those of a Sheriff in the States, and he

art Shall have jurisdiction any where in the Territory of Kansas

28 Resolved that the President, Justice, and Sheriff Shall each be holden in bonds of 1000 each and the Recorder in a bond of 2000 — the bonds of the President to be approved by the Justice and the Bonds of the Justice Sheriff and Recorder to be approved by the President

29 Resolved that all person who are Citizens of the U.S. owning a Claim & all citizens of the District are legal voters

30 Resolved that the Justice or President Shall be entitled to double the legal fees allowed by the laws of Kansas

32 Resolved that for all papers Recorded by the Recorder Containing 100 words or less he Shall be entitled to 50 cts for Recording any Containing greater number of Words than 100 he Shall be entitled to $1.00

at 33 Resolved that the Sheriff shall be entitled to
receive double the legal fees provided by the
Statute of Kansas

" 34 Resolved that any person considering himself
aggrieved shall file with the Justice of the Peace
or in his absence with the President of the District
a Statement of his grounds of complaint
which shall have the names of the parties
complained of and a prayer that they may be sum-
moned to appear and answer; thereupon the
Justice or President shall issue a Summons to the
adverse parties to appear and answer within 3 days
if he fail to do so the Complaint shall be taken
as true and Execution issued

35 Resolved that any party considering himself aggrieved
by the decision of the Justice or President shall
be entitled to an appeal to a jury of 12 persons
or a less number by paying costs already
accrued and their decisions shall be final
any jury may be challenged for cause thereon

Art 36 Resolved that any person refusing to be governed by the laws of this District, shall not after to refusing be allowed to Pre Empt or hold any claim in this District; and shall not be allowed to vote or hold any Office herein.

37 Resolved that any person found guilty of moving or defacing any Mining Stake on a Mining Claim belonging to another shall be deemed guilty of a misdemeanor, Subject to fine of not less than $5.00 nor more than $50.00

38 Resolved that any person found guilty of Stealing to the Value of $5.00 shall receive 30 lashes: and be banished from the District

39 Resolved that any person found guilty of Wilful premeditated murder, shall be hung by the neck until he is dead dead dead

40 Resolved that any person ~~found guilty~~ convicted of wilful perjury shall rec 39 lashes and shall forfeit all his claims; and be ~~banished~~ from the District

Art 41 Resolved that in any case the defeated party shall be liable for the costs of suit the Justice or President shall issue execution for the same; which shall be collected from any property the person so liable shall have; Excepting Tool, bedding Clothing, and provisions for 3 months

" 42 Resolved that any person wishing to commence suit shall give security for the costs

" 43 Resolved that any person or Company making affidavit for attachment before the Justice or President setting forth sufficient cause for the same the Justice or President shall issue attachment and all property in the possession of the person in his own right at the time of issuing the attachment shall be subject thereto

" 44 Resolved that all cases arising shall be considered either as civil or criminal and where the cases are not covered by the laws of this District the Justice or President shall be guided by the laws of Kansas

Art 45 Resolved that all rights contracts and claims entered into or acquired under the old Laws of this District shall be respected, except the Penal Law which shall be as amended.

46 Resolved that the Sheriff and Recorder shall have power to appoint a Deputy and shall be responsible for their acts

47 Resolved that if any officer be absent from this District for a space of 60 days his office shall be declared vacant

48 Resolved that all acts and parts of acts of Laws heretofore existing as Laws in this District conflicting with these Laws are hereby Repealed

49 Resolved that these Laws shall take effect from and after their passage

(14)

Fees of Miners Court Nevada City

Summons	$1.00
Subpoena	.60
Attachment	3.00
Garnishee	.60
Docketing Case	.60
Securing Witnesses	.20
Entering Motions	.50
Trial of Cases	1.00
Bonds	.60
Venire	.60
Change of Venue	.60
Transcript	1.00
Execution	.60

art 1st May 26th 1860 Resolved that all Claims for Mining purposes and building Lots, taken in good faith as acquired by purchase under the prevailing laws of Nevada District, where not conflicting with prior claims, shall be taken and held valid, according to the code of Laws prevailing at the time acquired, either by PreEmption or purchase

2" Resolved that in all Elections to be had, or decision to be made, touching interest involved in Nevada District the votes to be given, or decisions made shall be by actual residents or actual operators of the District, and that the Laws of the District be so amended as to accord with this resolution

3 Resolved that all claims made by purchase in good faith, shall be held as real Estate till the first day of June 1861

4 Resolved that all dry Claims shall be deemed held until water can be procured so that they may be worked with profit & advantage

5 Resolved that all roads & Streets now laid off and worked by the people of this District and that may be hereafter laid off and worked by said people shall be recognized as legal highways for public travel; other Resolutions touching individual cases.

6 Resolved that hereafter parties in suit shall

7 Resolved that all claims shall be worked within ten days from the time they are staked otherwise forfeited

Defendant is required to give bonds for security for goods before he can appear. this is an old law

Resolution passed at General convention of the Mining District March 1860

Resolved that the first record made of any claim shall hold good and that where a claim is situated in two different Districts, that a record in either one is valid But where a claim is located in whole in a

certain District after this date it must be recorded in that District

Resolved that all Suits commenced for the recovery of claims must be brought in the District in which the claim is located or a part thereof

Preamble (18)

Whereas it has been and is universally acknowledged by all civilized Communities that Government is necessary for the good understanding of a people forming such Government, and Whereas, we the Miners of Nevada Gold Mining District, have no civil Government established-Ours, by the authorities of the United States or the Territory in which we reside, in Mass Meeting assembled do for the protection of all of our rights adopt the following Constitution and by Laws

1st Resolved That this Mining District be and Shall be Known in all actions of right as the Nevada Mining District bounded as follows, Commencing at the junction of Nevada and Eureka Gulches, running thence up the Nevada Gulch to the junction of Nevada and Spring Gulches; thence up Spring Gulch to the line of the Illinois Central District; thence Westerly direction along the Summit of Quartz Hill on Nevada Mountain to Fall River; thence

due North to North Clear creek, thence due East three miles, thence due South to the Summit of North Nevada Mountains, thence along the Summit of said Mountain to a Seg or Dry Gulch some Eighty rods from place of beginning. Thence down said Dry Gulch to Eureka Gulch; thence down Eureka Gulch to place of beginning; amended to secure Eureka District that portion of Territory embraced north of the Summit of north Nevada Mountain on the west end of the District reserving the right to Nevada District to construct a ditch through said Territory under the laws and regulations of Nevada District

2 Resolved that no changes shall hereafter be made in the boundaries of this district without the consent of its citizens as hereinafter enacted

3 Resolved that if any person shall [redacted] to change the boundaries of this District or erect another within the same or any Territory before that time not belonging

thereunto a public meeting of the citizens of this District shall be called and ten days notice given of the same by posting twelve Notices of said meeting in as many conspicuous places of the petition for a new District or change of boundary applied for in this District, be granted it shall not take effect for ten days thereafter

4 Resolved that every Miner shall be entitled to hold Preemption claims as follows one lode claim one hundred feet Square one placer claim one hundred feet Square one lode claim one hundred feet long by fifty feet wide, one house claim fifty feet front by 100 feet deep one discovery claim on all discoveries made by himself, a Miner may take a claim for a company or a friend but such company or friend shall be actual resident of the Gregory Mining District every hundred feet as Each Lode shall be Staked with the owners name, giving the dimensions length and breadth and the date when such claim was

made and so also of all claims whether individual or company claims

5 Resolved that when Members of a company consisting of two or more shall be at work on one of the companies claims, the rest of these claims shall be considered as worked by posting a notice to that effect on each claim not worked

6 Resolved, that Each discovery claim shall be marked as such and shall be duly held whether worked or not

7 Resolved that priority of claim when honestly carried out shall in all cases be respected

8 Resolved that miners working Lode claims shall be entitled to one half of the water from the leader, provided however said water is used shall not be taken

a greater distance than 100 feet in a line from said Gulch, but should so running it shall return it to said Gulch by a ditch unless it be needed for use by parties below in which case those last using it shall conduct it in a ditch as prescribed above

9 Resolved that any person that is prevented from working any claim or claims by sickness or want of water, or machinery, or that wishes to visit his friends in the States, shall be exempted from working such claim or claims until the 15th of June 1861 by having the same recorded and posting notices thereon and stating reasons why such claims are not worked

10 Resolved, That should any person be prevented from reaching here at the time Specified by law on account of sickness or other unavoidable accident he shall be entitled to hold his claims as if he had complied with the said law and in case of his

of his claim the claims or other property belonging to such person in this District and which would except by this resolution, be forfeited by virtue of this Ordinance to each here by the 13th day of June 1861 shall revert to his heirs or assigns and not be forfeited by such non-compliance

11 Resolved that no miner shall be compelled to work his claims in the winter season;

XII Mining

12 Resolved that any Miner holding more than one claim under the laws of this District, shall be entitled to hold all of his claims, by working on one of them, and posting notices to that effect on each claim not being worked; and all claims not worked shall be recorded by the Recorder of this District

XIII-10 M 10

13 Resolved that any house or garden claim shall be liable to be worked for Mining purposes

found to be valuable, but any person to working House or garden claims shall secure the same from injury unless his mining claim has priority of title, in which case he shall not be liable for any damage resulting from such working of such claim

XIV No 11

14 Resolved, That any person shall be allowed to Examine the Books of the Recorder at any proper time, and to make any copy therefrom

XV No

15 Resolved, That no person shall be compelled to record a claim while actually working thereon

No 12 XVI No 13

16 Resolved, That any person selling his Pre Emption claim shall be entitled to another Pre Emption claim but all Sales must be bona fide and made in good faith

XVII 14

17 Resolved That, any person or company of persons intending to Erect a Quartz Mill may select a location 200 feet Square which shall be recorded, but such claim shall

be forfeited in case the party or parties recording the same shall fail to build on said claim within two months and shall have their Mill on the same by three months from the time of Re Emption of the same - otherwise it shall be forfeited

XVIII 15

18 Resolved That any company desiring of running a Tunnel into any mountain in this District may claim to the summit of any such Mountain, or to the line of this District; & shall be entitled to four hundred feet on all Lodes discovered after Re Emptioning said Tunnel claim; Provided however that Surface Miners actually discovering Lodes over any such Tunnel claim or claims shall be allowed to Re Empt on such Lodes or discovered but shall not be allowed to go to a greater depth than fifty feet from the Surface

XIV 16

19 Resolved That any company making such claim shall set up at the Shewing

center of said Tunnel, The line of said Tunnel to run due North & South and by stating said claims and having it duly recorded it shall be held till the first day of June 1860 and all Tunnel claims not commenced to be worked by that date shall be forfeited

XX–16

20 Resolved, That no Tunnel shall be made by any person or company so as to infringe on the private rights of individuals but in all cases where a Tunnel shall pass through any Lode or Veins of Gold bearing Earth or Quartz owned by individuals or companies holding prior rights they may waste the same the width of the Tunnel but no further, unless by Consent or agreement made with the owners or owners of the same

XXI Do 17

21 Resolved That when any number of persons shall by voluntary association engage in making a Tunnel they shall

declare the same and give a name to the company and when fully organized shall have power to make rules and regulations for the Government thereof; may sue and be sued in all suits it shall only be necessary to summon for or against such company in and by the name given and any notice given to the President, Superintendent Secretary or other known persons actually engaged as one of the Steel owners in such company shall be deemed sufficient notice to warrant any court of adjudication to entertain the case and give judgement according to the respective rights of the parties litigant

XXII—18

22 Resolved That when any person or company of persons holding claims through which a Tunnel might pass shall at any time have the privilege to make examinations as to whether the individual or company making a Tunnel are infringing on their rights and any

violations of the conditions herein Specified shall entitle the person sustaining injury to a cause of damage to be assessed by a court or jury of disinterested freemans; these Laws to be and remain in full force

XXIII —19

23 Resolved, That all Tunnel claims started after the 21 day of January A D 1660 shall only be allowed claims in Lodes actually discovered by themselves

XXIV 20

24 Resolved, That any Tunnel company that shall run their Tunnel a distance of Seventy five feet from the place of beginning; it shall become real Estate in fee simple and shall not forfeit their title to said claim by not working it

XXV 21

25 Resolved That when any miner or company of miners, shall take a claim in good faith whether it be a Lode or a Placer claims, he or they shall be entitled

Shall hold all that is within the limits of his or their Territory &c as Above, & may sell or transfer the same

XXVI — 22

26 Resolved That all bills of Sale and conveyances of claims shall be witnessed by at least two disinterested persons or acknowledged before the Judge of the miners Court, or President of the District; and all Deeds or Mortgages of real Estate shall be acknowledged before the Judge of the miners court or President of the District, who shall receive a fee for each acknowledgement of twenty five Cents, and all bills of Sale conveyances, Deeds, and Motgages, shall be recorded in the records Books of this District

XXVII — 23

27 Resolved That the officers of this District shall be one President, one Judge of the miners court, one Recorder & one Sheriff, who shall be Elected by the people and shall hold their offices for the term of one Year from the time of the annual

Election and until other officers are Elected all officers to be Elected by ballot and the names of voters recorded

XXVIII-24

26 Resolved. That the President shall have a general supervision of property belonging to the District and in the absence of the Judge of the Miners court or in case where the Judge is an interested party, or in cases where an affidavit shall be filed wherein the party filing such affidavit, states to the best of his knowledge and belief that the Judge of the Miners court is prejudiced against him and not a fit person to preside over the court trying his case, The President shall act in his stead & be entitled to the same fee as said Judge in such cases, It shall be his duty to act as administrator on the property of deceased persons and see that their property is paid over to their proper heirs and in case any office be vacated to call a special Election to fill such vacancy also to post up all notices for Miners meetings

XXIX — 25

29 Resolved, That the Judge of the Mines Court shall jurisdiction over all amounts and his duty shall be to preside over all duly appointed courts held in this Districts; Except as heretofore provided for

XXX — 26

30 Resolved, That the recorder shall Keep a Book for the purpose, and record therein all claims, Deeds' Mortgages, Conveyances &c given him to be recorded, on the payment to him of the fee as hereafter provided for

XXXI — 27

31 Resolved; That the duties of the Sheriff shall be the same as those of a Sheriffs in the State of Kansas and he shall have power to adjourn a Sheriffs Sale from day to day for want of bidders or from any other cause liable to greatly sacrifice the property advertised for Sale

XXXII — 28

32 Resolved That the Judge, President & Sheriff shall be held in bonds of one thousand Dollars

Each & the Recorder in bonds of two thousand dollars, the bond of the President to be approved by the Judge; the bonds of Judge Recorder and Sheriff by the President.

XXXIII

33 Resolved, That all persons who are citizens of the United States owning a claim or claims in this District, and all citizens of this District shall be legal voters

XXXIV

34 Resolved, That the Judge shall be entitled to double the legal fees allowed by the laws of Kansas

XXXV

35 Resolved; That the Elections of officers of this District shall be held annually on the third Monday in January

XXXVI

36 Resolved. That the President shall be entitled to receive Five Dollars for calling a Special meeting and posting notices of the same. Said sum to be paid by the party desiring the meeting called and shall be

entitled to double the fees allowed by the laws of Kansas for administering on the Estate of deceased persons

XXXVII — 31

37 Resolved; That the recorder shall be entitled to 2 fees of fifty cents for each Pre Emption claim; and for recording Deeds, Mortgages Bills of Sale Conveyances &c He shall receive one Dollar for each one hundred words contained therein

XXXVIII — 32

38 Resolved; That the Sheriffs shall be entitled to receive double the legal fees allowed by the laws of Kansas to Sheriffs

XXXIX 32

39 Resolved; That any person feeling himself aggrieved shall file with the Judge of the Miners court or in his absence with the President of the District a Statement of his grounds of complaint which shall have the name or names of the party or parties complained of and a prayer that they may be summoned to appear and answer, thereupon the Judge

or the President shall issue a Summons to the adverse party or parties to appear and answer within three days, if he or they fail so to do the complaint shall be taken as true & execution issued

XL — 33

41 Resolved; That any person considering himself aggrieved by the decision of the Judge or President shall be entitled to an appeal to a jury of twelve persons or a less number if the parties agree by paying the costs already accrued and their decision shall be final; any juror may be challenged for cause shown and each party shall be entitled to three peremptory challenges of jurors

XLI — 34

41 Resolved; That any person refusing to be governed by the laws of this District; shall not after so refusing be allowed to purchase any claims in this District; and shall not or hold office in the District

XLII — 35

42 Resolved That any person or persons found

guilty of removing or defacing a State Set on any mining claim and by such removing or defacing may conflict with any other mining claim or Stake Shall be guilty of a misdemeanor and Shall be fined not less than five nor more than fifty Dollars for the first offence and double that amount each Succeeding offence

XLIII — 36

43 Resolved: That any person convicted of the crime of Stealing to the amount of five Dollars Shall receive thirty lashes well laid on & be punished forever from the District

XLIIII — 37

44 Resolved. That any person convicted of the crime of wilful premeditated Murder Shall be Hung by the neck until he is dead

XLV — 38

45 Resolved. That any person convicted of the crime of wilful perjury Shall receive 39 lashes, his claims Shall be forfeited to the district and he be banished forever from the District

XLVI — 39

46 Resolved; That in all cases the defeated party shall be liable for all costs of suits; the Judge or President shall issue an execution for the same which shall be collected from any property the person so liable shall have, but Tools bedding clothing and provisions for three months shall be exempted from the provisions of this act

XLVII — 40

47 Resolved; That any person wishing to commence suit shall give security for the costs: added" dest also

XLVIII — 41

48 Resolved; That any person or persons making affidavit for attachment, before the Judge or President, in the absence of the Judge setting forth sufficient cause for the same the Judge or President shall issue an attachment and all property in possession of the party in his own right at the time of issuing the attachment shall be subject thereto

XLIX — 42

49 Resolved; That all suits commenced in this District shall be determined or disposed of therein, and a change of venue from this District to any other shall not be allowed

L — 43

50 Resolved; That all cases arising shall be considered either civil or criminal and where the cases are not covered by the laws of this District, the Judge or President shall be guided by the laws of Kansas

LI — 44

51 Resolved; That the Recorder or Sheriff shall have power to appoint a deputy for whose act they shall be responsible

LII — 45

52 Resolved; That if any officer be absent from the District for more than sixty days his office shall be declared vacant and an Election ordered to fill such vacancy

L 111 — 46

53 Resolved; That any person or company of persons who has or may desire to put in operation any Rail Road for mining purposes within the limits of this District shall authority to use as the right of way, the land over which such Rail Road may pass Sixty feet wide and the length of the Railway — provided that any Railway in operation or to be hereafter & & put in operation shall in no case be used so as to interfer with or retard mining operations of individuals or companies that may have mining claims crossing such Railway or of persons who may hereafter discover mining claims of any discription Either Quartz Lode or Gold bearing Earth and Quartz Lodes or Patch Diggins and also provided, that any person or persons who have or may put in operation any Railway under this law shall in all cases bridge such Roads or passes as may cross the same so that individuals or teams and waggons may cross the Railway without inconvenience

LIV – 47

5th Resolved; That all the rights of individuals to claims discovered or to be discovered crossing or running parallel with Railways now or hereafter to be put in operation shall have and possess all the privileges given them by law independent of this charter and before the right of way shall be granted to any Railway a record shall be made of the same in the office of the recorder of this district

LV – 48

55 Resolved; That all claims pre Emptied in good faith and all discovery and purchase claims of every discription held in Nevada District shall be taxed and held as real Estate in fee simple from and after the passage of this Resolution – Sept 6th 1860 – provided all claims before they shall be considered as real Estate shall if not already recorded be recorded in the Recorders office of Nevada District; which record shall clearly define the position & location of the claim and the person holding such claim shall sit upon

Stake or mounds at each corner of his claim if a building or Mill Claim and a post or Stone defining the center, at the Ends of each claim defined as Lode Claims also a Stone or Stake well driven in the ground at the corner of all Patch or surface claims and Gulch claims, amendments for as relates to pre Emption claims on Lodes requiring that they be dug into, to the center

LVI — 49

56 Resolved; That the regular meetings of the miners of this district shall be on the last Saturday in May and October no changes shall be made in these laws or amendments adopted except at a regular Meting

LVII — 50

57 Resolved; That in all Elections to be had & decisions to be made touching interests involved in Nevada districts the votes to be given or decisions made shall be by the actual residents or actual operations of this district

May 25/61

LVIII

58 Resolved, That all claims made by purchasers in good faith shall be held as real estate till the first day of June 1861

LIX

59 Resolved, That all dry claims shall be severally held until water can be procured so that they may be worked with profit and advantage

LX 51

60 Resolved, That all roads & Streets now laid off and worked by the people of this District and that may be hereafter laid off & worked by said people shall be recognized as legal highways for public travel

LXI — 52

61 Resolved, That any person or persons cutting a ditch or mining in any Street or highway in this District shall bridge such ditch and shall repair the Street, Main Line so as to make it safe and passable

LXII—53

62 Resolved; That all laws or parts of laws heretofore existing as laws in this District conflicting with these laws are hereby repealed.

LXII—54

63 Resolved; That these Laws shall take effect from and after their passage ———

55

Minutes of November and December Meetings

Resolved 1st That hereafter parties to a Suit shall not be competant to testify in their own behalf, unless they first file an affidavit with the Court stating the facts they expect to prove, and that they cannot be proven by any other person within the jurisdiction of this District as their knowledge

11 56

2 Resolved; That from and after this date the fees of the Sheriff and Judges of the Miners Court shall be the same as is provided by the Statutes of Kansas

57

3 Resolved; That no person shall be allowed to slaughter any Sheep or other animal within the ~~corporate~~ limits of Nevada City or nearer than 1/4 of a mile from the Gulch Stream and any person violating this law shall be fined $50 for each offence

58

4 Resolved; That the several Butchers of Nevada be notified by the Sheriff to bury or remove

to the distance of one forth of a mile from the Gulch Stream the offal accumulated by them within 6 days of Notification under a penalty of $50

59

Be it enacted by the people of Nevada District in Mass Meeting assembled; That the Equity of redemption on all Mortgaged property shall extend Six Months from the time of Sale under foreclosure and that the Mortgagor may retain the possession of Such property after the Sale by executing to the purchaser a good and sufficient bond to be given within ten days — to be approved by the Court under whose decree the property is Sold — in double the amount of the purchase Money conditioned that he will redeem the property within Six Months and pay interest on the Same at the rate of twenty five percent per annum

6 Resolved; That at a convention held in
Nevada city on the Ninth day of March
A D 1860 called for the purpose of estab-
lishing the boundaries of the several mining
districts; The boundaries of Nevada district were
established as follows; commencing at
the junction of Eureka & Nevada Gulches
running, thence up the Nevada Gulch to
the junction of Nevada & Spring Gulches
thence up Spring Gulch to the line of Illinois
Central District, thence a westerly direction
along the summit of County Hill or
Nevada Mountain to Fall River, thence
due north to north Bear creek, thence
due East three miles, thence due South
to the summit of North Nevada Mountain
thence along the summit of said Moun-
tain to a Ravine or dry Gulch some eighty
rods of the place of beginning, thence down
said dry Gulch to Eureka Gulch to place
of beginning, amended to decree to Eureka
District that portion of Territory Embraced
north of the summit of north Nevada

Mountain on the west side of the District reserving the right to Nevada District to construct a ditch through said Territory under the laws and regulations of Nevada District

7 Resolved; That that section of the laws providing for only two Miners Meetings annually and prohibiting any alterations or amendments being made at Special Meetings be and the same is hereby repealed

8 Resolved; That it is the sense of this Meeting that the Citizens of Nevada are opposed to the organization of an appelate court with its officers as recommended by the Central City convention and that it is inexpedient to hold any Election for such officers as proposed on the Twentieth day of November

9 "not passed" Resolved by the Miners of Nevada District that in Mass Meeting assembled that twelve months peaceable uncontrolled possession of any Claims "not forfeited"

(47)

Resolved; That while we recognize the settled principal of law, as a rule by which Americans should be governed we deprecate all attempts that have a tendency to create discord contention or litigation unnecessarily and in the future we the Miners of Nevada District declare that all attempts to cut down or take the legal and Equitable rights of miners or claim holders, when clearly secured by previous existing law shall be considered in contempt and revolutionary and all persons so offending shall be considered as ineligible to any of the rights and privileges secured to miners & claim holders by the laws of this District

62

Resolved; That the rules of pleadings shall be abolished in the M. C. so that any miner may plead his own case before the Court or a Jury of his fellow citizens & no advantage shall be allowed on ac of informality or any technicality

(48)

61

Resolved; That from and after this date June 1st all interest of whatever percentage soever in a note of Sund Specified in the note shall be legal & shall be collectable in the Miners Court of this District, stay or other laws of this District to the contrary notwithstanding; and any law & all laws conflicting with this shall from this date be declared repealed

63

9 Resolved; That the forms & proceedings of the Miners Court shall be simplified, so that the case may be fairly & Equitably tried upon its merits by the Jury or the court; & substantiated justice be rendered between man & man according to the laws of the District

10 Resolved; That no case shall be thrown out of court to expire the grounds of Error or informality in making out the papers 64

65

11 Resolved; That any miner be permitted to hold one preemption claim on each Lode discovered or that may be discovered by recording and

working the same according to law

66

13 ~~Resolved~~, That 13th × In all cases where property is to be sold on execution or any order of Court at least 10 days Notice thereof shall be given by posting 3 notices in at least 3 of the most public places in the District

2d 67

That all claims not being Real Estate under the provisions of the law, and not opened to the service or worked for that purpose on or before the 15th of June 1861 shall be open that day declared vacant & open for preceding & pre Emption, and all claims not open to the service shall be worked one full day in 10 till such service is defined.

68

18th Be it enacted that in all cases where the judgement exclusive of the costs shall be under $50 cts a Stay of Execution may be had for 15 days in cases where Judgement is over $50 cts and under $250 cts a Stay of 3 and in all cases where the Judgment is over $250 cts a Stay of Five 6 months Months may be had, Such Stay can only

by executing within 10 days after the rendition of such judgement - a good and sufficient bond to be approved by the court, & Security for the payment of such judgement costs & interest at the rate of 25 per cent per annum, at the expiration of such Stay, at which time without further process Execution may issue against the principal and sureties also.

69

8th Be it Enacted that when water companies are engaged in bringing water into any portion of the Mines they shall have the right of way across & thru any claim road or ditch, provided the water shall be so guarded as not to interfere with any vested rights.

9th Be it Enacted the mines court shall have power to fine & put under arrest till paid, for contempt in any sum not more than $25.00 & such fine shall be used for public works. 70

An 71

10th That if any persan may wish to Commence a civil action in the miners court of this District, he shall not be compelled to file a complaint in writing; but may at his discreion file with the Judge of the miners court his note as aforesaid not to exceed $50 Cts and the Judge shall issue his summons giveing the defendent not more than 10 days notice; nor less than 3, and the Sheriff & Judge to be allowed each 10 percent on the amount for their fees.

An 72

12th That from the filing of claims all Stationery property shall be bound for the fulfillment of whatever judgement may be obtained.

25th May An 73

That until returned Gold dust shall be a legal tender at $16 on oz in the M-C & in all commercial transactions in Nivada

57

(52)

74

7th That all Gold scales used in Nevada shall be regulated by F. F. Shurman or N. H. Howard assayists either of whom shall grant a certificate of their accuracy according to the standard of the U.S. Mint & any miner buying out Gold dust shall be entitled to see such certificate if he desires so to do

73

15th That every Mechanic & others directly hired by the owner & who shall construct erect complet any House Store dwelling Mill or other building shall be entitled to a lien thereon for the amount of labor & material furnished by him thereon.

14 & 16 Cont.

76

17th That Liens as above specified shall be filed within 3 months after the completion or termination of the work, & shall be filed in the Miners Court & if allowed Execution may issue as in other cases—

June 1st Whereas it is well known that the presence of Grease or Greasy substancies of any kind operate materially against the saveing of Gold dust; and as several persons have been found washing clothing and other articles calculated to impart grease to the water & in the water conveyed along in the flume through Nevada Gulch;

Therefor Be it Resolved that the Judge of the Miners Court shall be empowered from and after the passage of this act resolution to fine any and all persons who may be found washing clothing or any other substance calculated to impart Grease to the water, or render it unfit for House Hold purposes; in any flume ditch tunk or reservoir belonging to any water companies, in the sum of not less than ten dollars and not more than twenty dollars for the first offence; and not less than twenty five dollars and not more than fifty Dollars for the second offence; The fine to be laid out at public vendue at the discretion of the President from t

2 Resolved; That no license or Tax shall be levied against any person or persons in Nevada District, for selling provisions or Groceries, Hay, corn, oats, or Vegetables within the limits of the district, from their waggons or other conveyances.

79

3 Resolved; That any officer in the discharge of his official duties, who shall be found guilty of Extorting or Charging more fees than allowed by law, Shall forfeit and pay to the party so charged three times the amount so Extorted and recovered in an action in assumpsit before the Judge of the miners court.

3 In case the Judge shall be interested in the event of the suit, the cause shall be tried before the President of the district

4th That on the conviction of any officer of Nevada District for taking or exacting unlawful fees as before stated it shall be the duty of the Judge or President of the District to render the judgment issue the Execution and ~~to~~ declare the office of the person offending vacant.

81

5th Resolved; That when the office of any person in Nevada District shall be declared vacant, it shall be the duty of the President to order an Election to fill the vacancy and in case the office of the President shall be declared vacant it shall be the duty of the Judge of the Miners Court to order the Election to fill the vacancy of President,

56

56

§ 2

6 Resolved That a fee Bill of all costs made in any suit on which an Execution shall issue shall accompany the execution and in absence of such fee Bill it shall be unlawful to make a levy or sell property.

§ 3

7 Resolved; That in taking the acknowledgement of Deeds or conveyances, when the grantors appear at the same time and place before the Officer taking such acknowledgement the fee shall be twenty five cents and no more,

57

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58

Whereas it has been and is universally acknowledged by all civilized Communities that government is necessary for the good understanding of a people forming such government; and Whereas we the Miners of Nevada Gold mining District; we have no civil government Extended to us, by the authorities of the United States: or of the Territory in which we now reside;— in Mass meeting assembled do for the protection of all our rights adopt the following —

Constitution and By Laws ——————

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Article 1st

Boundaries of Nevada

Sec1 That this mining District be and shall be known in all actions of right as the Nevada Mining District bounded as follows:- Commencing at the junction of Nevada and Eureka Gulches running thence up the Nevada Gulch to the junction of Nevada and Spring Gulches thence up Spring Gulch to the line of the Illinois Central district. Thence in a Northerly direction along the summit of Quartz Hill or Nevada Mountain to Dull River. Thence due north to North Clear Creek. Thence due East three miles. Thence due South to the summit of North Nevada Mountain. Thence along the summit of said mountains to a dry or Dry Gulch some eighty rods from place of beginning. Thence down Saddy Gulch to Eureka Gulch; thence down Eureka Gulch to place of beginning:- amended so as to secure to Eureka district that portion of Territory embraced north of the summit of North Nevada Mountain on the west end of the district

(Oo)

reserving the right to Nevada District to construct a ditch through said Territory under the laws and regulations of Nevada District — Amended in Feby 1861 so as to cut off that portion of Nevada District known as Central City, marking the Easterly Boundary line commence at the Eng Bay aforesaid, running almost due South to the Boundary of Illinois Central District crossing the Nevada Gulch at or near the old dam situate immediately below Clarks Quartz Mill Ratified 25 May 1861

Sec 2 That no changes shall hereafter be made in the Boundaries of this District without the consent of its citizens as hereinafter enacted

Sec 3 That if any person shall wish to change the Boundaries of this District or erect another within the same, or annex any Territory before that time not belonging thereunto, a public meeting of the citizens of this of this District, shall be called and ten days notice shall be given of the same by posting twelve Notices of the said

(61)

meeting in as many conspicuous places. If the petition for a new district or change of boundary applied for in this District be granted. it shall not take effect for ten days thereafter

Defining Claims and Laws Relating thereunto

Article 2nd

Sec 1 That every miner shall be entitled & hold pre emption claims as follows, one Gulch claim one Hundred feet Square, one Patch claim one Hundred feet Square, one Lode claim one Hundred feet long by fifty feet Square wide, One House Claim fifty front by one hundred feet deep. one discovery Claim or all discoveries made by himself

62

sec 2 That any miner be permitted to hold one pre-emption claim on each lode or that may be discovered. by Recording and working the same according to Law passed June 1st 1861

sec 3 A miner may take a claim for a company or a friend, but such company or friend shall be actual residents of the Gregory Mining Districts

Each Every Hundred feet so taken shall be staked with the owners name giving the dimensions, length & breadth and the date when such claim was made and so also of all claims whether individual or company claims

63

Sec 5 That when members of a company consisting of two or more shall be at work on one of the companies claims, the rest of their claims shall be considered as worked by posting a notice to that effect on each claim not worked

Sec 6 That each discovery claim shall be marked as such, and safely held whether worked or not

Sec 7 That priority of claims when honestly carried out shall be respected in all cases

Sec 8 That miners working lode claims shall be entitled to one half of the water from the Gulch; provided however said water so used shall not be taken to a greater distance than one hundred feet in a line from said Gulch. But those so using it shall return it to the Gulch by a ditch, unless it be needed for use

(64)

by parties below ; in which case those last using it shall conduct it in a ditch as provided above

Sec 9 That any miner holding more than one claim under the laws of this district shall be entitled to hold all of his claims by working on one of them ;- and posting notices to that effect on each claim not being worked ;- and all claims not worked shall be recorded by the recorder of this District

Sec 10 That any house or garden claim shall be liable to be worked for mining purposes if found to be valuable ;- but any person working house or garden claims shall secure the same from injury unless his mining claim has priority of title, in which case he shall not be liable for any damages resulting from such

working of such claim

Sec 11 That no person shall be compelled to record a claim while actually working thereon.-

Sec 12 That any person selling his pre Emptied claim, shall be entitled to another pre Emption claim, but all sales must be made in good faith

Sec 13 That when any miner or company of miners shall take a claim in good faith whether it be a Lode or Placer claim, he or they shall be entitled to hold all that is in the limits of his or their Territory so taken, and may sell or transfer the same

Sec 14 That bills of sale and conveyances for claims shall be witnessed by at least

two disinterested persons or acknowledged before the Judge of the miners court or President of the District:- and all Deeds or Mortgages of Real Estate shall be acknowledged before the Judge of the Miner court or the President of the district, who shall receive a fee for each acknowledgement of twenty five cents:- and all bills of Sale conveyances Deeds and mortgages, shall be recorded in the Record Books of this District

Sec 15 That in taking the acknowledgement of of Deeds or conveyances, when the gauntors appear at the same time and place before the officer taking such acknowledgement, the fee shall be twenty five cents and no more

Sec 16 That all claims pre Emptet in good faith and all discovery and puretive claims of every discription held in Arora District, shall be taxed and held as Real Estate in fee simple, from and

(67)

after the passage of this resolution Sept 1st 1860 ÷ provided that all claims before they shall be considered as Real Estate, shall if not already recorded, be recorded in the Recorders office of this district, which record shall clearly define the position or location of the claim ÷ and the person holding such claim, shall set up Stakes or mounds at each corner of his claim, if a Quartz or a mill claim, and post or stone defining the center, at the ends of each claim defined as Lode claims; as a stone or Stake well driven in the ground at the corner of all Patch or Surface claims, and Gulch claims. Amended in so far as relates to pre-Emption claims on Lodes, by signing that they be dug into to the civic

Sec 7 That all claims not being Real Estate under the provisions of the law, and not open to the civic or worked for that purpose

on or before June 15th 1861 shall be upon that day declared vacant and open for prospecting and pre-emption; and all claims not open to the service shall be worked one full day in ten till such service is defined.

(70)

Act 3

Laws Relating to Mill Sites Tunnels Rail Roads &c

1 Mill Sites

Sec 1 That any person or company of persons intending to erect a Quartz Mill, may select a location 200 two Hundred feet square which shall be recorded: but such claims shall be forfeited in case the party or parties recording the same shall fail to build on said Claim, within two Months; and shall have their mill on the same by three Months from the time of pre Emption of the same otherwise it shall be forfeited.

(41)

II Tunnels

Sec 2 That any company desirous of running a Tunnel into any Mountain in this District may claim to the Summit of any such Mountain, or to the line of this District, & shall be entitled to four hundred feet on all such Lodes discovered after pre Empting said Tunnel claim; Provided, however that Surface Miners actually discovering Lodes over any such Tunnel Claim or claims shall be allowed to pre empt on such Lodes so discovered, but shall not be allowed to go to a greater depth than fifty feet from the Surface

Sec 3 Any company making such claim shall set up a Stake showing the center of said Tunnel; the line of said Tunnel to run due north and South

Sec 4 That no Tunnel shall be made by any person or company so as to infringe

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on the private rights of individuals
but in all cases where a Tunnel shall
pass through any Lode or Patch or Gold bearing
earth or Quartz owned by individuals or
Companyes holding prior rights, they may
work the same the width of the Tunnel,
but no further unless by consent or agreement
made with the owner or owners of the same

Sec 5 That when any number of persons shall
by voluntary association engage in making
a Tunnel they shall declare the same,
and give a name to the company, and
when fully organized shall have power
to make rules and regulations for the
government thereof, may sue and be
sued, and in all suits it shall only be
necessary to commence for or against said
Company in and by the name given,
and any notice given to a President, Secret-
ary, Superintendent or other known per-
son actively engaged as one of the Tunnel owners
in such company shall be deemed

sufficient notice to warrant any court of adjudication to entertain the cause; and give judgement according to the respective rights of the parties litigant.-

Sec 6 That when any person or company of persons holding claims through which a Tunnel might pass, shall at any time have the priveledge to make Examination as to whether the individual or Tunnel making a Tunnel, are infringing on their rights;- and any violations of the conditions herein Specified shall entitle the persons sustaining injury to a cause of damage to be assessed by a court or jury of disinterested persons

Sec 7 That any Tunnel company that have run their Tunnel a distance of ~~twenty~~ five (73) feet from the place of Beginning, it shall become Real Estate in fee simple

(74)

and shall not forfeit their title to the said claim by not working it."

III Rail Roads

Sec 8 That any person or company of persons who have or may desire to put into operation any Rail Road for mining purposes within the limits of this district shall have authority to use as the right of way, the lands over which such Railway may pass Sixteen feet on either side the length of the Railway: provided, that any Railway in operation, or to be hereafter put into operation shall in no case be used so as to interfere with, or retard mining operations of individuals or companies that may have mining claims croping such Railway, or of persons who may hereafter discover mining claims of any discription, either Quartz Lodes, Gold bearing earth, or Quartz Lodes or Patch diggins; and also provided, that any person or persons who have or may put in operation any Railway under this law shall in all cases bridge such roads or passes as may cross the same, so that individuals or

teams and waggons may cross the Railways without inconvenience

Sec 9 That all the rights of individuals to claims discovered, or to be discovered croping or running parallel with Railways now or hereafter to be put into opperation shall have and exercise all the priveledges given them by law, independent of this Charter; and before the right of way shall be granted to any Railway a record shall be made of the same in the office of the Recorder of the district

Ditches

Sec 10 That when water companies are engaged in bringing into any portion of the mines they shall have the right of way secured to them, and may pass over any claim, road or ditch: Provided the water shall be so guarded as not to interfere with any vested right.

Article IV

Laws regulating Election of Officers their duties &c

General

Sec 1 That the officers of this district shall be one President one Judge of the Miners court, one Recorder and one Sheriff, who shall be Elected by the people, and shall hold their offices for the term of one Year from the time of the annual Election, and until other officers are Elected;— All Officers to be Elected by ballot and the names of voters recorded

Sec 2 That the Elections for officers of this district shall be held annually on the third Monday in January

Sec 3 That the President Judge & Sheriff shall be held in bonds of one thousand Dollars each, and the Recorder in a bond of two thousand Dollars;— the bond of the President to be approved by

The Judge, and the bonds of the Judge Recorder and Sheriff by the President

Sec 4 That if any officer be absent from the District for more than Sixty days his office shall be declared vacant and an Election ordered to fill such vacancy

Sec 5 That any officer in the discharge of his official duties, who shall be found guilty of exacting, or charging more than the fees allowed by law, shall forfeit and pay to the party so charged three times the amount so exacted unlawfully to be recovered in an action in assumpsit -- before the Judge of the Mines Court; and in case the Judge of the Mines court shall be interested in the event of the suit, the cause shall be tried by the President of the District

(80)

Sec 6 That on the conviction of any officer in Nevada District for taking or exacting unlawful fees as before stated, it shall be the duty of the Judge or President of the District, to render the Judgement, issue the execution and also to declare the office of the person so offending, vacant

Sec 7 That when the office of any person in Nevada district shall be declared vacant, it shall be the duty of the President to order an Election to fill the vacancy; and in case the office of President shall be declared vacant it shall be the duty of the Judges of the miners court to order the Election to fill the vacancy of President

(811)

President

Sec 8 That the President shall have a general supervision of property belonging to the district, and in the absence of the Judge of the miners court or in cases where the Judge is an interested party, the President shall act in his stead and be entitled to the same fees as the said Judge in such cases, & it shall be his duty to act as administrator on the property of deceased persons, and to see that their property is paid over to their property heirs & and in case any office be vacated to call a Special Election to fill such vacancy, and also to post up all notices for miners meetings

Sec 9 That the President shall be entitled to receive five Dollars for calling a Special meeting and posting notices of the same, said sum to be paid by the party desiring the meeting called

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and shall be entitled to double the fees allowed by the laws of Kansas for administering on the Estate of deceased persons,

Judge

Sec 10 That from and after this date (Dec 1860) the fees of the Sheriff and Judge of the Miners court shall be the same as are provided by the Statutes of Kansas,

Sheriff

Sec 11 That the duties of the Sheriff shall be the same as those of a Sheriff in the State of Kansas: and he shall have power to ajourn a Sheriffs Sale from day to day for want of bidders or from any other cause liable to greatly sacrifice the property advertised for Sale:

Recorder

Sec 12 That the Recorder shall Keep a Book for the purpose and record therein all

claims. deeds. Mortgages. Conveyances &c. given Liens to be recorded on the payment to Him of the fees as Hereinafter provided for.

Sec 13 That the recorder Shall be entitled to a fee of fifty cents for each pre Emption claim and for recording Deeds. Mortgages. Bills of sale. Conveyances &c. He Shall receive one dollar for each one Hundred words contained therein.-

Sec 14 That the Sheriff and recorder Shall have power to appoint a deputy for whose acts they Shall be responsible

Sec 15 That any person Shall be allowed to Examine the ~~records~~ Books of the recorder at any proper time and to make any copy therefrom

(84)

Article V

Laws regulating the Miners Court

Sec 1 That the Judge of the Miners court shall have jurisdiction over all amounts and his duty shall be to preside ove all duly appointed Courts held in this District, except as heretofore provided for

Sec 2 That any person feling himself agrieved shall file with the Judge of the Miners court, or in his absence with the President of the district. a Statement of his grounds of complaint which shall have the name or names of the party or parties complained of, &c. a prayer that they may summoned to appear and answer; Thereupon, the Judge or President shall issue a Summons to the adverse party or parties to appear and answer within three days; if he or they fail so to do the complaint shall be taken as true, and Execution issued

Sec 3 That if any person may wish to commence a civil action in the miners court of this district he shall not be compelled to file a complaint in writing but may at his discretion file with the Judge of the miners court his note or account not to exceed fifty dollars and the Judge shall issue his Summons giving the Defendant not more than ten days notice, nor less than three, and the Sheriff and Judge to be allowed each ten percent on the amount for their fees. Passed May 25th 1861

Sec 4 That from the filing of ... claims all Stationed property shall be bound for the payment of whatever judgement may be obtained Passed May 25th 1861

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Sec 5 That from and after this date — June 1st. 1861 — all interest of whatever percentage soever in a note of Grand specified in the not shall be legal and shall be collectable in the miners court of this district. Stay or other laws of this District to the contrary notwithstanding, and any law and all laws conflicting with this shall from this date be declared repealed —

Sec 6 That the rules of pleading shall be abolished in the miners court so that any miner may plead his own case before the court or a jury of his fellow citizens, & no advantage shall be allowed on account of informality or any technicality

Sec 7 Resolved that the forms and proceedings of the miners court shall be simplified so that the case may be fairly and equitably tried upon its merits by a jury or the court, and substantial

justice be rendered between man & man according to the laws of the District

Sec 8 That no case shall be thrown out of court upon the ground of error or informality in making out the papers

Sec 9 That any person considering himself agrieved by the decision of the Judge or President, shall be entitled to an appeal to a jury of twelve persons or a less number if the parties agree by paying costs already accrued; and their decision shall be final;

Rules of Court

Sec 10 Notice of appeals must be given within five days from rendition of Judgement and a bond filed to pay the costs; fifteen days thereafter to be allowed the party taking an appeal, to pay up all the costs already accrued, making twenty days in all,

Sec 11 That any juror may be challenged for cause shown, and each party shall be entitled to three preemtory challenges of jurors

Sec 12 That any person wishing to commence suit shall give security for the costs, the defendent shall also file a bond for costs before answering

Attachment

sec 13 That any person or persons making affidavit for Attachment before the Judge or President, in the absence of the Judge setting forth sufficient cause for the same, the Judge or President shall issue an attachment, and all property in possession of the party in his own right at the time of issuing the attachment shall be subject thereto.-

Sec 16 That all suits commenced in this District, shall be determined or disposed

of thereof and a change of venue shall from this district to any other shall in no case be allowed.-

Sec 15 That all cases arising shall be considered either civil or criminal, and where the case is not covered by the laws of this district, the Judge or President shall be guided by the laws of Kansas.

Sec 16 That hereafter parties to a suit shall not be competent to testify in their own behalf, unless they first file an afidavit with the court stating the facts they expect to prove, and that they cannot be proved by any other person within the jurisdiction of this district as of their knowledge.-

Sec 17 That in all cases the defeated party shall be liable for all costs of suits; the Judge or President shall issue an execution for the same, which shall be collected

(90)

from any property the person so liable shall have, but tools, bedding, clothing & provisions, for three months shall be exempted from the provisions of this act

Sec 18 That the miners Court shall have power to fine and put under arrest till paid for contempt, in any sum not more than twenty five dollars, and such fines shall be used for public works.

Mechanics Liens

Sec. 19. That any Mechanic (whose directly hired by the owner) who shall construct erect or complete any House, Store, dwelling, Mill or other building, shall be entitled to a lien thereon, for the amount of labor or materials furnished by him thereon

Sec 20 That liens as above specified shall be filed within three months after the completion or termination of the work, and shall be filed in the miners court, and if allowed Execution may issue as in other cases,

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Article 6"

Laws relating to Equity of Redemption Executions. Stay of Executions &c

Sec 1 That the Equity of redemption on all Mortgaged property shall extend Six Months from the time of Sale under foreclosure; and that the Mortgagor may retain possession of such property after the Sale, by Executing to the purchaser a good and sufficient Bond to be given within ten days &to be approved by the Court under whose decree the property is sold & in double the amount of the purchase money; conditioned that he will redeem the property within Six Months & pay interest on the same at the rate of twenty five percent per annum

Sec 2 That in all cases where the judgment Exclusive of costs shall be under fifty Dollars a Stay of Execution may be had for fifteen days; in all cases where

the judgement is over fifty dollars, and under two hundred & fifty dollars, a stay of three months may be had, and in all cases where the judgement is over two hundred & fifty dollars a stay of six months may be had. such stay can only be had by executing within ten days after the rendition of such judgement a good and sufficient bond to be approved by the court, and security for the payment of such judgement, costs, & interest at the rate of twenty five percent per annum, at the expiration of such stay, at which time without further process, execution may issue against the principal, and sureties also

Sec 3 That in all cases where property is sheduled on executions or any order of court at least ten days notice thereof shall be given by posting three notices in at least three the most public places in the district

(94)

Sec 4 Must a fee bill made up all costs made in any suit on which an Execution shall issue, shall accompany the execution: and in the absence of such fee bill, it shall be unlawful to make a levy or sell property

For Goods exempt from Execution See page 32 sec 17

(95)

Article 7

Laws relating to Roads, Streets Public Nuisances &c

Sec 1 That all roads and Streets now laid off & worked by the people of this District, and that may be hereafter laid off and worked by said people shall be recognized as legal highways for public travel,

Sec 2 That any person or persons cutting a ditch in, or mining in any Street or highway in this District, shall bridge such ditch and repair the Street mined in so that it ~~be~~ made safe and passable.

Sec 3 That no person shall be allowed to Slaughter an Ox, Sheep or other animal within the limits of the City of Nevada, or nearer than a quarter of a mile from the Gulch Stream; and any person violating this law shall be fined fifty dollars for each offence

Sec 4. That the several butchers of Nevada be notified by the Sheriff to bury or remove to the distance of one forth of a mile from the Gulch Stream, the offal accumulated by them within six days from notification, under a penalty of fifty dollars

Sec 5 That the Judge of the mines court shall be empowered from and after the passage of this resolution (1st of June 1861) to fine any and all persons who may be found washing clothes or any other substance calculated to impart grease to the water, or render it unfit for house hold purposes, in any flume, reservoir or ditch, belonging to water companies in the sum of not less than ten dollars, and not more than twenty dollars for the first offence and not less than twenty five dollars nor more than fifty dollars for the second offence, the fines to be laid out on public works under direction of President

Article VIII

Sec

Laws regarding Crimes &c

Sec 1 That any person or persons found guilty of removing or defacing a Stake or on any mines claim and by such removing or defacing may conflict with any other mines Claim or Stake, shall be guilty of a misdemeanor, and shall be fined not less than five nor more than fifty dollars for the first offence, & double that amount for each succeeding Offence,

Sec 2 That any person convicted of the crime of Stealing to the amount of five dollars, shall receive thirty lashes, well laid on and be banished forever from the district,

(98)

Sec 3 That any person convicted of the crime of wilful premeditated Murder, shall be hung by the neck until he is dead,

Sec 4 That any person convicted of the crime of wilful perjury shall receive thirty nine lashes. his claims shall be forfeited to the District, and he be punished forever from the District,-

Article IX

General Laws and Regulations

Sec 1 That the regular muting of the miners of this District, shall be on the last Saturdays in May and October;— & no changes shall be made in these laws, or amendments adopted, except at a regular muting;—

Sec 2 That in all elections to be had and decisions to be made touching interests involved in Nevada District, the votes to be given, or decisions to be made shall be by the actual residents, or active operators of this District.

Sec 3 That well retorted Gold Dust shall be a legal tender at Sixteen dollars an Ounce in the miners Court, and in all commercial transactions in Nevada.

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Sec 4 That all Gold Scales Shall be used in Nevada Shall be regulated by F. F Sherman or W. H. Howard assayists. either of whom shall grant a certificate of their accuracy according to the Standard of the United States Mint, and any miner paying out Gold Dust Shall be entitled to see Said certificate, if he desirous so to do. Passed May 25th 1861

Sec 5 That no license or tax Shall be levied against any person or persons in Nevada District, for Selling provisions, groceries, hay, corn, oats, or Vegetables, within the limits of the District, from their waggons or other conveyances

Sec 6 That any person refusing to be governed by the laws of this district, shall not after so refusing be allowed to preempt or purchase any claims in this District, and shall not vote, or hold office in the District

Sec 7 That all laws or parts of laws heretofore existing as laws in this District, conflicting with these laws, are hereby repealed.

Sec 8 That these laws shall take effect from and after their passage.—